

Docket No.: 249104US8/cxi

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Kosei TAKIISHI, et al.

SERIAL NUMBER: 10/780,637

GROUP: 2128

FILED: February 19, 2004

EXAMINER: ALHIJA, S. A.

FOR: A MULTI-PATH GENERATING APPARATUS, A MULTI-PATH FADING
SIMULATOR, AND A MULTI-PATH GENERATING METHOD

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

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SIR:

Applicants acknowledge with appreciation the indication of allowability of the claimed invention. In response to the Examiner's Statement of Reasons for Allowance in the Notice of Allowability of September 1, 2009, Applicants respectfully submit the following comments:

In the Examiner's Statement of Reasons for Allowance on page 2 of the Notice of Allowability, paragraph 2, the examiner states in part that:

"The following is an examiner's statement of reasons for allowance: claims 1-8 are considered allowable since when reading the claims in light of the specification, none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claims, specifically:

The recitation with respect to claims 1, 2, 6, 7, and 8 of "said first radio propagation path starts at the transmission point, does not pass the another edge of said shadowing object, and is diffracted at the one edge of said shadowing object before reaching the receiving point..." wherein, when generating the time varying multi-paths, if a shadowing object is present in the line of sight, a received electric field strength E is given as the summation of E1 that is an electric field strength of a first radio propagation path diffracted by a knife-edge at one edge of said shadowing object and E2 that is an electric field strength of a second radio propagation path that is different from the first propagation path and diffracted by a knife-edge at another opposite edge of said shadowing object" as well as in combination with the respective remaining limitations of claims 1, 2, 6, 7, and 8. See also Figure 12.

The claims are rendered statutory since they recite an apparatus as hardware in claims 1, 2, and 6 and the method of claims 7 and 8 contain a particular machine notably the parameter control units and propagation path generating units. See Figure 4."

While the examiner's reasons for allowance appear to be directed to independent Claims 1 and 2 and Claims 3-5 that depend thereon, independent Claims 7 and 8 recite a time-varying multi-path generating method and are not limited to the parameter control units and propagation path generating units and/or Figures 4 and 12, as may be implied and/or inferred by the examiner's statement. Moreover, independent Claim 6 does not recite the same limitations as independent Claim 1, as may be implied and/or inferred by the examiner's statement.

Accordingly, Applicants disagree with the Reasons for Allowance stated with respect to method Claims 7 and 8 which are patentable by virtue of the limitations recited therein and also disagrees with the reasons stated with respect to independent Claim 6 which is patentable by virtue of the limitations recited therein.

Respectfully Submitted,

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